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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,419	10/06/2000	Nobuhiro Suetsugu	Q60879	1278
7590	10/05/2005			
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W., Washington, DC 20037-3213			EXAMINER	NGUYEN, NHON D
			ART UNIT	PAPER NUMBER
			2179	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/680,419	SUETSUGU ET AL.
	Examiner Nhon (Gary) D. Nguyen	Art Unit 2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 July 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-15, 17 and 18 is/are rejected.
- 7) Claim(s) 16, 18 and 19 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to amendment, filed 07/11/2005.
2. Claims 1-19 are pending in this application. In this amendment, no claim is canceled, claims 1-6, 9, 10, 12, and 14-18 are amended, and no claim is added. This action is made final.

Claim Objections

Claims 18 and 19 are objected to because of the following informalities:

Dependent claims 18 and 19 claim the “*display drafting apparatus*” according to claim 9; however, independent claim 9 claims a “*display drafting method*”.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9, 10, 12, 13-15 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansen (US 5,819,042).

As per independent claim 9 Hansen teaches a display drafting method comprising:

selecting a signal or data of a controlled system, where the signal or the data is stored in a memory of a controller and the controller controls operations of the controlled system (60 and 62 of fig. 3B); and

setting up a display drafting information for said selected signal or data (96-99 of fig. 3B and fig. 5 and fig. 6).

Hansen further teaches wherein setting up the display drafting information after said signal or data is selected (as in fig. 3B, the step of selecting device 60 is done before the step of configuring that device 96-99).

As per claim 10, which is dependent on claim 9, Hansen teaches selecting signal or data further comprises selecting a signal or data symbol and selecting a signal or data number (figs. 5 and 6; col. 14, lines 28-36 and col. 15, lines 32-51).

As per claim 12, which is dependent on claim 10, it is inherent in Hansen's system to have changing at least one of said signal or data symbol and said signal or data number after setting up part of said display drafting information.

As per claims 13 and 14, which are both dependent on claim 9, whenever Hansen's system saves data such as display drafting information or signal or data selection information, the processes of setting up the display drafting information and selecting signal or data of the controller must be paused (or interrupted) for a period of time to allow the data to be saved completely before they can continue. Therefore, it is inherent that the processes of setting up the

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display drafting information and selecting signal or data of the controller are interrupted when saving data of the display drafting information and saving data of a signal or data selection information, respectively

As per claim 15, which is dependent on claim 9, Hansen teaches the selected signal or data is used in display drafting and in a design of a control program for said controller, the design of a control program is performed separately from the display drafting (fig. 1B and fig. 4; col. 9, lines 40-52).

As per claim 18, Hansen teaches the signal or data is represents a numerical data of a controlled system (e.g. 202, 204 of fig. 5), the programmable controller is configured to control the operation of the controlled system (col. 9, lines 25-52).

5. Because applicant failed to traverse the examiner's assertion of Official Notice in claims 1, 2, 7 and 8 in the last Office Action, the common knowledge in the art statement in the last Office Action is taken to be admitted prior art.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1-8, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen in view of applicant's admitted prior art.

As per independent claim 1, Hansen teaches a computer implemented method and corresponding system for display drafting apparatus comprising the steps/means:

means for selecting a representation of a signal or data of a controlled system, where the signal or the data is stored in a memory of a controller (e.g., 60 and 62 of fig. 3B), and

means for setting up display drafting information for said selected signal or data (96-99 of fig. 3B and fig. 5 and fig. 6) comprising a display mode (e.g. col. 15, line 43; *connected* or *unconnected*) and a display function (col. 15, lines 32-51). Hansen does not disclose a display component can be set up for the selected signal or data. This feature is taught by applicant's admitted prior art. It would have been obvious to an artisan at the time of the invention to modify Hansen's system to include the feature of setting up display component of a signal or data since it would give users many options to represent the look of the signal or data.

Hansen further teaches wherein the means for selecting are used to select the representation of the signal or data before the means for setting up are used to set up the display drafting information (as in fig. 3B, the step of selecting device 60 is done before the step of configuring that device 96-99).

As per claim 2, which is dependent on claim 1, Hansen does not disclose means for saving only signal or data selection information for the controller selected by said signal or data selecting means, wherein the signal or data selection information can be saved, even if said selected representation of the signal or data is a representation of the signal or data for which the

display drafting information is not set up. This feature is taught by applicant's admitted prior art. It would have been obvious to an artisan at the time of the invention to modify Hansen's system to include the feature of saving devices without having them set up since it would eliminate unnecessary steps.

As per claims 3 and 4, which are dependent on claims 1 and 3 respectively, Hansen teaches a function of a control program schema generator for said controller therein, further comprising:

means for allowing the signal or data selection information for said controller selected and created by said signal or data selecting means to be used with said control program schema generator; and means for appending a comment to the representation of the signal or data of said controller selected by said signal or data selecting means, and means for sharing the appended comment between said display drafting apparatus and said control program schema generator (figs. 4 and 7; col. 9, lines 25-52).

As per claim 5, which is dependent on claim 1, Hansen teaches the display drafting apparatus according to claim 1, further comprising:

control program schema generating means for said controller, and means for allowing the use of the signal or data selection information for said controller selected and created by said signal or data selecting means, when a program schema is generated by said generating means (figs. 4 and 7; col. 9, lines 25-52).

As per independent claim 6, it is a combination of claims 1 and 5; therefore, it is rejected under the same rationale as claims 1 and 5, combined.

As per claim 7, which is dependent on claim 6, Hansen does not explicitly disclose the display drafting apparatus, the display, and the controller of the display drafting system is connected in series and the data is transferred between these modules. Applicant's admitted prior art teaches the display drafting apparatus, the display, and the controller of the display drafting system is connected in series and the data is transferred between these modules (fig. 19). It would have been obvious to an artisan at the time of the invention to use the teaching from Applicant's admitted prior art of connecting the display drafting apparatus, the display, and the controller of the display drafting system in series and having data transferred between these modules in modified Hansen's system since it would divide the processing jobs between modules and make the system run faster.

Modified Hansen further does not disclose these three modules are connected in series in order of the display drafting apparatus, the display, and the controller. This feature is also taught by applicant's admitted prior art. It would have been obvious to an artisan at the time of the invention to alternate the order of connection among the display drafting apparatus, the display, and the controller in modified Hansen's system since it would allow a user to create an optimal design.

As per claim 8, which is dependent on claim 6, Hansen does not explicitly disclose the display drafting apparatus, the display, and the controller of the display drafting system is

connected in series and the data is transferred between these modules. Applicant's admitted prior art teaches the display drafting apparatus, the display, and the controller of the display drafting system is connected in series and the data is transferred between these modules (fig. 19). It would have been obvious to an artisan at the time of the invention to use the teaching from Applicant's admitted prior art of connecting the display drafting apparatus, the display, and the controller of the display drafting system in series and having data transferred between these modules in modified Hansen's system since it would divide the processing jobs between modules and make the system run faster.

Modified Hansen further does not disclose these three modules are connected in series in order of the display drafting apparatus, the controller, and the display. This feature is also taught by applicant's admitted prior art. It would have been obvious to an artisan at the time of the invention to alternate the order of connection among the display drafting apparatus, the display, and the controller in modified Hansen's system since it would allow a user to create an optimal design.

As per claim 11, which is dependent on claim 9, it is rejected under the same rationale as claim 1.

As per claim 17, Hansen teaches:

the signal or data represents a numerical data of a controlled system (e.g. 202, 204 of fig. 5),

the programmable controller is configured to control the operation of the controlled system (col. 9, lines 25-52), and

the display drafting information informs an operator monitoring the controlled system at least of a type of the signal or data and state of the signal or value of the data (col. 11, line 16 – col. 12, line 6).

Allowable Subject Matter

8. Claims 16 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

9. Applicant's arguments filed 07/11/2005 have been fully considered but they are not persuasive.

(a) With respect to claims 1, 6 and 9, In Hansen, a router or a computer subsystem cannot be equated with a signal or data of a controlled system such as input signal, output signal, a count value, a timer value, numerical data, etc. In Hansen, the network devices are not signals and/or data.

(b) With respect to claim 12, the Examiner's grounds alleging that the administrator will always change at least a symbol or number of a device after setting up part of the display drafting information are not understood. Indeed, changing the symbol or the number of the device is not necessarily present in Hansen.

(c) With respect to claims 13 and 14, Hansen does not teach or suggest performing the save command in the middle of the configuration.

(d) With respect to claim 15, there is no control program for the controller can be present.

(e) Also, with respect to claim 15, the Examiner alleges that the configuration of the network device is equivalent to the display drafting, then clearly Hansen fails to teach or suggest generating a control program. In other words, configuring a network device cannot be equated to both the display drafting and the generating of a control program.

(f) With respect to claim 4, Hansen does not teach or suggest any means for appending a comment to the device. Moreover, Hansen fails to teach or suggest sharing the appended comment between the display drafting apparatus and the control program schema generator.

(g) With respect to claim 17, Hansen does not teach or suggest informing the operator of a type of the IP address and the mask.

Examiner disagrees for the following reasons:

(a) The claimed language of claims 1, 6, and 9 claim “selecting a representation of a signal or data of a controlled system”. The routers in Hansen’s system are clearly representations of data. For example, the routers in figures 5 and 6 are representations of data 202, 204, 222, 224, and 226, and these representations of data are selected in a controlled network system as illustrated in figure 4.

(b) When design a system such as the Hansen’s controlled network system. Providing means for a designer to be able to change (or modify) at least a symbol or number of a device

after configuring the display drafting information for devices (e.g. figure 4) is necessarily present in Hansen.

(c) It is clearly inherent in Hansen's system to perform the save command in the middle of the configuration. For example, the process of configuring a device, or setting up the display drafting information, must be paused or interrupted for a designer to issue a command save the configuring data before the designer can return to continue the configuring process of setting up the display drafting information.

(d) The control program is the program enables a designer to connect devices (e.g., step 66 of fig. 3B) by drawing lines between devices (e.g., step 68 of fig. 3B) to form a network controller (such as a network controller in fig. 4) to control the controlled network devices.

(e) According to Hansen, configuring a network device is not equated to both the display drafting and the generating of a control program. In fact, the displaying drafting and the generating of a control program are two different processes in Hansen's system. The displaying drafting is a process of configuring settings of the selected devices and this process is illustrated in step 74 of figure 3B. On the other hand, the generating of a control program is another process of drawing lines to connect between devices in order to form a network controller (such as a network controller in fig. 4) to control the controlled network devices and this process is illustrated in another step such as step 68 of figure 3B.

(f) Hansen clearly teaches comment appended to the associated devices. For example, as illustrated in figure 4, col. 9, lines 25-52, "Compaq Router Center Site" and "Frame Relay Corporate Wide Area Network" does append comments describing about the devices 112 and 118 respectively. These appended comments are clearly shared between the display drafting

process (step 74 of fig. 3B) and the control program schema generator (process of drawing lines to connect between devices; step 68 of fig. 3B) in order to form a network controller to control the network controlled devices as illustrated in figure 4.

(g) Claim 17 recites, "the display drafting information informs an operator monitoring the controlled system at least of a type of the signal or data". Hansen clearly reads on the claimed language by informing the type of address and mask (display drafting information) by displaying the name (type) of the configured device (Compaq Router: PCI SLOT 1 Net 1) as illustrated in the figure 5.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Inquiries

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D. Nguyen whose telephone number is (571)272-4139. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571)272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
October 2, 2005


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